

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

|  |             |                                   |
|--|-------------|-----------------------------------|
| <b>DARRELL WILLIAMS</b>  | §           | <b>PLAINTIFF</b>                  |
|  | §           |                                   |
| <b>VERSUS</b>  | §           | <b>CAUSE NO. 1:10cv300-LG-RHW</b> |
|  | §           |                                   |
| <b>DEVON ROUSE, JAROME BARNES,<br/>aka JEROME BARNES, and MARIE<br/>DUNCAN</b> | §<br>§<br>§ | <b>DEFENDANTS</b>                 |

**ORDER ADOPTING PROPOSED  
FINDINGS OF FACT AND RECOMMENDATIONS**

BEFORE THE COURT is the [28] Proposed Findings of Fact and Recommendations of United States Magistrate Judge Robert H. Walker, entered in this cause on June 14, 2011, in which he recommends that Defendant Marie Duncan be dismissed for failure to serve process. *Pro se* Plaintiff Darrell Williams has not filed objections to the Magistrate Judge's recommendations. To date, process has not be served upon her.

The Court finds that the Magistrate Judge properly recommended that Duncan be dismissed without prejudice for Williams's failure to serve process upon and otherwise prosecute the case against her. After referral of hearing by this Court, no objections having been filed as to the Proposed Findings of Fact and Recommendations, and the Court, having reviewed the same and being duly advised in the premises, finds that said Proposed Findings of Fact and Recommendations should be adopted as the opinion of this Court.

**IT IS THEREFORE ORDERED AND ADJUDGED** that the [28] Proposed

Findings of Fact and Recommendations of United States Magistrate Judge Robert H. Walker, entered on June 14, 2011, be, and the same hereby is, adopted as the findings of this Court.

**IT IS FURTHER ORDERED AND ADJUDGED** that Defendant Marie Duncan is dismissed without prejudice.

**SO ORDERED AND ADJUDGED** this the 18<sup>th</sup> day of July, 2011.

s/ *Louis Guirola, Jr.*

LOUIS GUIROLA, JR.  
CHIEF U.S. DISTRICT JUDGE